

EXHIBIT “25”

(2)

Diane Rosetsky

From: "Diane Rosetsky" <DRosetsky@NBME.org>
To: <diane1120@comcast.net>
Sent: Monday, November 20, 2006 11:25 AM
Subject: FW: Follow-up to our meeting today

From: Kathy Holtzman
Sent: Tuesday, November 07, 2006 8:37 PM
To: Diane Rosetsky
Cc: Barbara Davidson
Subject: Follow-up to our meeting today
Importance: High

Diane,

As we discussed at our meeting in Human Resources today, the two of us will put in place a number of processes that will promote clear communication and foster a better working relationship.

As I noted during the meeting, you have now been given a warning to immediately stop your behavior of sharing frustrations about your work assignments, interpersonal relationship with me, or other observations regarding Test Development management with staff in Test Development or elsewhere. Continuing this behavior could result in you being placed on a Performance Improvement Plan. I understand that from time to time, you may have concerns or frustrations regarding your work, and it would be appropriate for you to schedule a meeting with me to discuss issues that arise. If you believe I am not being responsive, it would also be appropriate for the next step to be a meeting with David Swanson. At any time, you should feel comfortable to discuss concerns with Human Resources.

As agreed, you will:

- 1) develop project plans for the projects you currently have in queue (Prometric project, subject test project). The project plan can be brief but should include the purpose, design plan/scope, estimated time for completion, and the key points in development where feedback will be required. I would like to have the project plan for the Prometric project no later than **November 8** and the plan for the Subject Test project by **November 9**. Please be sure to copy Connie and Krista on the Prometric project and Krista and I on the Subject Test project. In addition, please prepare a status report for the Item Workshop project; the report should include a brief description of the current functionality as well as a section outlining the work still to be completed and any requirements that you still need. Please send me this update by end of day **November 10**. I will schedule a meeting on Monday November 13 for you to present your item writing data base to several users. This will provide an opportunity for you to receive additional input. Please do not worry about doing any additional work on the database (based on Faith's input). I am aware that you need to make some changes but think it would be good to have some broader input so that you can avoid additional iterations.
- 2) record time spent on each project on a daily basis and provide a written list of time to be charged each Friday before leaving for the day. (please provide your list for last week by the end of tomorrow.
- 3) compile questions and concerns to address at regularly scheduled meetings rather than asking each question individually as it comes up
- 4) when issues arise, direct all questions to me or the designated team leader or project manager in a nonconfrontational manner.

1/5/2007

As also agreed, I will

- 1) schedule regular meetings to discuss concerns and issues and to prioritize work
- 2) ensure that timely feedback is provided on all assigned projects

Diane, your main priority at this point should be to develop the plans. I will schedule a meeting for the two of us to meet tomorrow to address any questions you may have. Thank you.

Kathy

1/5/2007

EXHIBIT “26”

Barbara Davidson

From: Barbara Davidson
Sent: Wednesday, November 08, 2006 9:57 AM
To: Diane Rosetsky
Subject: RE: Could you please help out with this?

Diane,

For now you must focus on making the current situation work. This is important if you want other managers to want you to work for them - especially other managers who work closely with Kathy.

I will speak to Kathy about the possibility of extending the timeframes of the reports she wants this week.

Barbara

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 9:41 AM
To: Barbara Davidson
Subject: RE: Could you please help out with this?

I really don't want to work for her or Kathy Angelucci- Maybe you could speak with Dave about my reporting to Krista and having my cubicle moved.

From: Barbara Davidson
Sent: Wednesday, November 08, 2006 9:40 AM
To: Diane Rosetsky
Subject: RE: Could you please help out with this?

Diane,

If you don't have enough time to prepare the reports Kathy requests in the timeframe she set out, you should let her know the soonest alternative dates that work for you (I'm assuming early next week would be feasible for you?).

I would be happy to speak to her about the timeframes before you do this. Let me know.

Please - give this new structure a try.

Thanks,

Barbara

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 8:36 AM
To: Barbara Davidson
Subject: Could you please help out with this?
Importance: High

Get a load of this. She ignores me for a year- belittles me with calling me DiDi- and giving me clerical work. I step up to the plate and develop databases for her for way under what scale would be for these things, with no complaining- and now I'm getting a warning about my performance. My performance has been nothing less than stellar- and I have the right to talk to anyone that I want so long as it is not confidential information. She told me that I was not allowed to talk to Dave (she has also said this to Faith) and now she is telling me that I am allowed to talk to Dave. Not that it will do much good to talk to him- he does whatever she says- I instantly hear her belittling him also. This e-mail from her is libelous- and yesterday she was slandering me. This is exactly what

1/8/2006

001570

tried to do with Barbara Scaramellino.

er ignoring my projects for a year- now she wants everything in two days. This is how I wind up taking things home.

this point, I would appreciate your help in having me removed from reporting to her. I would like to report directly to Krista- since she is more receptive to new methods of doing things, and is generating projects for me. There is no worse dynamic for an employee than being tossed back and forth between two supervisors- (and this is what is happening- as I have documented in e-mails-) with Kathy and Krista not in agreement on what I am supposed to be doing. I feel that Krista has a lot more confidence in my capabilities-and that Kathy is steering her away from me.

would also like my cubicle moved. There is no reason for me to be sitting in front of Kathy's door, since she has basically snubbed me for most of my employment here.

as far as my working for Kathy Angelucci- I would prefer just to stay in my current Program Assistant position- rather than be in her group as another Assistant. Also, I think she will be difficult to work for because she appears to have no consistent work schedule, and a lot of the times I have e-mailed her it takes a while for her to respond. I really don't want to be in the middle of that situation.

his e-mail below is nothing that I was not warned about- but I am not going to accept Kathy making false statements about my performance. The only thing I did wrong was work too hard, and be too reliable.

From: Kathy Holtzman
Sent: Tuesday, November 07, 2006 8:37 PM
To: Diane Rosetsky
Cc: Barbara Davidson
Subject: Follow-up to our meeting today
Importance: High

Diane,

As we discussed at our meeting in Human Resources today, the two of us will put in place a number of processes that will promote clear communication and foster a better working relationship.

As I noted during the meeting, you have now been given a warning to immediately stop your behavior of sharing frustrations about your work assignments, interpersonal relationship with me, or other observations regarding Test Development management with staff in Test Development or elsewhere. Continuing this behavior could result in you being placed on a Performance Improvement Plan. I understand that from time to time, you may have concerns or frustrations regarding your work, and it would be appropriate for you to schedule a meeting with me to discuss issues that arise. If you believe I am not being responsive, it would also be appropriate for the next step to be a meeting with David Swanson. At any time, you should feel comfortable to discuss concerns with Human Resources.

As agreed, you will:

- 1) develop project plans for the projects you currently have in queue (Prometric project, subject test project). The project plan can be brief but should include the purpose, design plan/scope, estimated time for completion, and the key points in development where feedback will be required. I would like to have the project plan for the Prometric project no later than **November 8** and the plan for the Subject Test project by **November 9**. Please be sure to copy Connie and Krista on the Prometric project and Krista and I on the Subject Test project. In addition, please prepare a status report for the Item Workshop project; the report should include a brief description of the current functionality as well as a section outlining the work still to be completed and any requirements that you still need. Please send me this update by end of day **November 10**. I will schedule a meeting on Monday November 13 for you to present your item writing data base to several users. This will provide an opportunity for you to receive additional input. Please do not worry about doing any additional work on the database (based on Faith's input). I am aware that you need to make some changes but think it would be good to have some broader input so that you can avoid additional iterations.

- 2) record time spent on each project on a daily basis and provide a written list of time to be charged each Friday before leaving for the day.(please provide your list for last week by the end of **tomorrow**.)

- 3) compile questions and concerns to address at regularly scheduled meetings rather than asking each question individually as it comes up

- 4) when issues arise, direct all questions to me or the designated team leader or project manager in a nonconfrontational manner.

11/07/06 001571

As also agreed, I will

- 1) schedule regular meetings to discuss concerns and issues and to prioritize work
- 2) ensure that timely feedback is provided on all assigned projects

Diane, your main priority at this point should be to develop the plans. I will schedule a meeting for the two of us to meet tomorrow to address any questions you may have. Thank you.

Kathy

W DME 001572

EXHIBIT “27”

Faith Balsama

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 12:31 PM
To: Faith Balsama
Subject: RE: ?

Yeh-you're damned if you do and you're damned if you don't. It's a no win situation in this country unless you can be unethical and deceitful. And I am not the only one who is learning a lesson.

From: Faith Balsama
Sent: Wednesday, November 08, 2006 12:26 PM
To: Diane Rosetsky
Subject: RE: ?

We learn a lot about our past experiences. You will be learning a lesson with this one too.

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 12:24 PM
To: Faith Balsama
Subject: RE: ?

I kept my mouth shut with an almost identical situation at Penn- and look where that got me. I had nothing to loose- either way she was making this situation very uncomfortable for me. She's one of the most unethical person I have ever had the displeasure of dealing with.

From: Faith Balsama
Sent: Wednesday, November 08, 2006 12:21 PM
To: Diane Rosetsky
Subject: RE: ?

It's like Poker, Diane. You need to know when to show them and when to hold them. Now, you're on your way to the OK Corral shoot out.

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 12:16 PM
To: Faith Balsama
Subject: RE: ?

It's not a crusade. She was going too far in her mistreatment of me....remember- she threw my edits in the trash without looking at them- for no reason. And continually belittled me with copying, sorting, cutting and pasting. She was completely disrespectful to me. Now she is trying to turn it around by making this a disciplinary action for me. She's the one that needs the discipline. I haven't done anything wrong but work too hard and be too reliable. No matter what I would have done- she was going to treat me the same way.

From: Faith Balsama
Sent: Wednesday, November 08, 2006 12:09 PM
To: Diane Rosetsky

003289

Faith Balsama

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 12:08 PM
To: Faith Balsama
Subject: RE: ?
Follow Up Flag: Follow up
Flag Status: Completed

Fair weather friend.

From: Faith Balsama
Sent: Wednesday, November 08, 2006 12:06 PM
To: Diane Rosetsky
Subject: RE: ?

Diane,

As I mentioned to you yesterday, your crusade has gone too far now. You need to back off and move on. I think the damage that has been done is permanent. And, I don't want to be involved in this mess. So, please, from this day forward, we can talk about anything else but your crusade.

Thanks,
Faith

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 11:56 AM
To: Faith Balsama
Subject: ?

Was she interrogating you again this morning about me?

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
email: droetsky@nbme.org

NBME 003288

Kathy Holtzman

From:
Sent: Wednesday, November 08, 2006 11:38 AM
To: Kathy Holtzman
Subject: Tensions in TD - Warning
Importance: High

Kathy,

As I mentioned to you, the tension between Diane and you is affecting the work environment. It's like an oppressive haze. I'm concerned that the matter will escalate.

When Diane tried to talk to me about the situation, I had told her that she has really gone over the edge and that she needs to calm down, shut up, and try to look for a job outside the company since she does not understand or is willing to accept the corporate culture and politics here. Apparently, she is on her own crusade which is being fueled by a spirit of revenge and disillusionment---a very combustible combination in the work environment.

I truly don't want to get involved in this mess; however, you need to know my concerns.

National Board of Medical Examiners
3750 Market Street
Philadelphia, PA 19104

2/8/2007

Faith Balsama

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 1:34 PM
To: Faith Balsama
Subject: RE: My Horrorscope

Yes- but it mentions turmoil.

From: Faith Balsama
Sent: Wednesday, November 08, 2006 1:34 PM
To: Diane Rosetsky
Subject: RE: My Horrorscope

Don't be deluded. The stars impel; they don't compel. You still have your power of free-will choice which can influence your destiny.

From: Diane Rosetsky
Sent: Wednesday, November 08, 2006 1:24 PM
To: Faith Balsama
Subject: My Horrorscope

What happens when Mars energizes Uranus, the planet of surprises? Mars is now at a 120 degree angle with Uranus in the sky (called a 'trine'). In Astrology, a trine is a very favorable angle. **Powerful Mars is now supporting Uranus -- the planet of surprises and breakthroughs.** With Mercury's retrograde position causing a bit of turmoil, harnessing this potential might not be easy. Nevertheless, by taking a look at your personal forecast for the upcoming month, you can plan a winning strategy.

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
email: drosetsky@nbme.org

NBME 003286

Faith Balsama

From: Diane Rosetsky
Sent: Thursday, November 09, 2006 10:48 AM
To: Faith Balsama
Subject: RE: NBME Values and Behaviors

I wouldn't be having a battle if she had been put in her place before. This is why the holocaust, and other atrocities are so successful. Most people are afraid to speak up. Looking out for number one.

From: Faith Balsama
Sent: Thursday, November 09, 2006 10:46 AM
To: Diane Rosetsky
Subject: RE: NBME Values and Behaviors

Diane,

I appreciate your concern on my behalf and others here, but as I mentioned to you before I do not follow the dictates of anyone but my God and myself. To know thy self and act accordingly is the best knowledge. I handle my matters in my own discerned way...PERIOD....end of story. It's your battle, you fight it your way.

Faith

From: Diane Rosetsky
Sent: Thursday, November 09, 2006 10:08 AM
To: Faith Balsama
Subject: NBME Values and Behaviors

I just read on the home page -- that the Board looks at the Values hotline entries. I just submitted a form (and put my name on it). You can submit a form anonymously. But if you don't do anything, than the mistreatment of all of us is going to continue. The form guarantees you will not be penalized for using the hotline AND it gives you the option of being a reporter, witness or subject- of inappropriate behavior. It lists various options such as retaliatory harrassment, witnessing inappropriate language, etc.

Do us all a favor, and read the website thoroughly, and if you want things to get better for all of us- USE IT. Don't be a hypocrit.

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
email: droetsky@nbme.org

NBME 003270

EXHIBIT “28”

Barbara Davidson

From: Diane Rosetsky
Sent: Thursday, November 09, 2006 3:11 PM
To: Barbara Davidson
Subject: RE: A step above

I have been doing my work- she has been interrupting me since this all started with lengthy e-mails- and requests for project plans for things that I have already completed or am in the midst of- which she ignored the whole year. She is also wasting my time with charts so she can make pretend I'm on some sort of disciplinary action. Kathy has no business evaluating my performance- since she doesn't know how hard I have worked and has been disrespectful to me.

From: Barbara Davidson
Sent: Thursday, November 09, 2006 3:05 PM
To: Diane Rosetsky
Subject: RE: A step above

Diane,

In the meantime, PLEASE concentrate on getting your work done. You seem to be spending too much time focusing on this conflict

Barbara

From: Diane Rosetsky
Sent: Thursday, November 09, 2006 2:56 PM
To: Barbara Davidson
Subject: RE: A step above

Yes- we need to- she's coming up with all kinds of things to put pressure on me.

From: Barbara Davidson
Sent: Thursday, November 09, 2006 2:55 PM
To: Diane Rosetsky
Subject: RE: A step above

Hi Diane,

Sorry I haven't gotten back to you sooner. I've been in meetings and will be out Friday and Monday.

We need to we can discuss further next week.

Thanks,

Barbara

From: Diane Rosetsky
Sent: Thursday, November 09, 2006 8:34 AM
To: Barbara Davidson
Subject: A step above

NBME 000196

Don Nungster aware of what is going on? At this point I have nothing to lose if you involve him. I can't allow this to go on as a performance problem. There is no problem with my performance- it's Kathy's lack of people skills and willingness to say what is necessary to get her way. You saw it for yourself. There has to be some values that the NBME is willing to stand behind.

9/2006

As far as me having to make a chart and account for my time minute by minute-I feel HR has to step in now-I am only required to fill out my ERP- unless she can make a case that I have not been doing my job. This is retaliatory harrasment for my involving your department.

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
Email: drosetsky@nbme.org

NBME 000197

EXHIBIT “29”

Barbara Davidson

From: Kathy Holtzman
Sent: Wednesday, November 08, 2006 2:13 PM
To: Diane Rosetsky
Cc: Barbara Davidson
Subject: overtime

Diane,

I wanted to remind you that as we discussed yesterday during our meeting in HR, you are not authorized to work at home unless pre-approved by me in advance of the work. Any authorized work at home should be reported on your timesheet. If you have any materials at home, please return them to the office immediately and remove any NBME files from your personal computer. Thank you.

NBME 001599

EXHIBIT “30”

Barbara Davidson

From: Diane Rosetsky
Sent: Friday, November 10, 2006 8:33 AM
To: Barbara Davidson
Subject: RE: Values Line

Thank you.

From: Barbara Davidson
Sent: Thursday, November 09, 2006 4:43 PM
To: Diane Rosetsky
Subject: Values Line

Diane,

We are in receipt of the complaint you filed with the Values Line.

We can discuss after I return to the office next week.

Barbara

Barbara L. Davidson, PhD
Director, Human Resources & Organizational Development
National Board of Medical Examiners
3750 Market Street
Philadelphia, PA 19104
215-590-9543 (Phone)
215-590-9799 (Fax)
bdavidson@nbme.org

Barbara Davidson

From:
Sent:
To:
Subject:

Reports [reports@globalcompliance.com]
Thursday, November 09, 2006 9:18 AM
Shelley Green; Barbara Davidson; John Wosnitzer
NBME-06-11-0001 WPA Initial Report [Priority C]

Attachments:

NBME-06-11-0001 WPA Initial Report [Priority C]



20061109091757-0
.RTF (90 KB)

Attached please find NBME-06-11-0001 WPA Initial Report [Priority C].
Regards,

Global Compliance

<<NBME-06-11-0001 WPA Initial Report [Priority C]>>

Global Compliance.

ALERTLINE CONFIDENTIAL MEMORANDUM

THE INFORMATION CONTAINED IN THIS REPORT SHOULD BE HANDLED AS CONFIDENTIAL

Report Number:	NBME-06-11-0001	[NF2D]	Received By:	WEBALLEGATIONSUB MIT
Call Report Type:	WPA Initial Report		Source:	Web Submission
Awareness Resource:	Intranet		Duration:	00:15:50
Language Used:	English		Reviewed By:	WEBALLEGATIONSUB MIT

Date/Time Call Received: 9-Nov-2006 08:56 am Eastern Time Zone

Call Back Date:

Report Priority: C

WORKPLACE ALERT INITIAL REPORT

Allegation	Class	Priority
Improper Employment or Disciplinary Action	Diversity, Equal Opportunity and Workplace Respect	C

Location Details

HQ
3750 Market Street
3750 Market Street
Philadelphia, Pennsylvania 19104
United States

Party Type	Party Name	Party Job Title
Caller	Dr. Diane Rosetsky	Test Development Program Assistant
	Home Phone: 215 590-9643	
Subject	Diane Rosetsky	Program Assistant
Subject	Kathy Holtzman	Senior Director of Test Development

Call Report Summary

Retaliation by my supervisor (Kathy Holtzman) for asking for mediation from the Human Resource department, involving my treatment and relationship with her.

Call Report Details

Report Number: NBME-06-11-0001

Page 1 of 2

Client agrees and understands that Global Compliance neither warrants, vouches for, nor authenticates the reliability of the allegations provided in this report. Client agrees that it shall have the sole responsibility for investigating or otherwise evaluating these allegations and other information provided and to comply with all local, state and federal laws pertaining to the investigation and protection of such information, as well as the protection of all rights of any person or persons accused of any wrongdoing.

Global Compliance.

ALERTLINE CONFIDENTIAL MEMORANDUM**THE INFORMATION CONTAINED IN THIS REPORT SHOULD BE HANDLED AS CONFIDENTIAL**

I requested Barbara Davidson's (HR Director) help in resolving employment issues with Kathy Holtzman (my supervisor). After the meeting whereas Barbara mediated, Kathy proceeded to call my co-workers into her office to coerce them into making negative statements about me.

She then tried to turn a situation which involved her mistreatment of me, into a disciplinary action for me, telling me to "stay in my seat" and "not talk to anyone." She then instructed me to make a chart and give her minute to minute recording of what I do during the day. And that if I did not comply, she was going to issue a formal "Performance Plan" for me.

I have very conscientiously upheld all NBME values, especially striving for excellence in my work, being extremely creative and innnovate in trying to use our technology to improve office procedures with MS Access, specifically. My ethics and professional conduct with others is expressed in my consideration to everyone that I work with at all levels- whereas my direct supervisors have gone days without even saying good morning to me. (One of them even went months without acknowledging my presence.)

I have attempted through e-mails and office visits to communicate my progress on projects that I developed myself- but have been ignored by Kathy for close to a year now. Only being given minor clerical work to do, such as filing and printing- although my skills, practical experience and education warrant much better assignments than those. When asking to apply for a higher position, as was told by Kathy that I was not right for the job- and was discouraged from applying.

Communications Specialist's Comments

<None>

Special Information Requested Of Caller

Are you a salaried (exempt) or hourly (non-exempt) employee?

Responses

Hourly (non-exempt)

Survey Questions**Responses**

Report Number: NBME-06-11-0001

Page 2 of 2

Client agrees and understands that Global Compliance neither warrants, vouches for, nor authenticates the reliability of the allegations provided in this report. Client agrees that it shall have the sole responsibility for investigating or otherwise evaluating these allegations and other information provided and to comply with all local, state and federal laws pertaining to the investigation and protection of such information, as well as the protection of all rights of any person or persons accused of any wrongdoing.

Barbara Davidson

From: Reports [reports@globalcompliance.com]
Sent: Tuesday, November 21, 2006 3:04 PM
To: Shelley Green; Barbara Davidson; John Wosnitzer
Subject: NBME-06-11-0002 WPA Initial Report [Priority C]
Attachments: NBME-06-11-0002 WPA Initial Report [Priority C]



20061121150349-0
.RTF (90 KB)

Attached please find NBME-06-11-0002 WPA Initial Report [Priority C].

Regards,

Global Compliance

<<NBME-06-11-0002 WPA Initial Report [Priority C]>>

Global Compliance

ALERTLINE CONFIDENTIAL MEMORANDUM

THE INFORMATION CONTAINED IN THIS REPORT SHOULD BE HANDLED AS CONFIDENTIAL

Report Number: NBME-06-11-0002 [OQ5A] Received By: WEBALLEGATIONSUB
MIT

Call Report Type: WPA Initial Report Source: Web Submission

Awareness Resource: Intranet Duration: 00:12:15

Language Used: English Reviewed By: WEBALLEGATIONSUB
MIT

Date/Time Call Received: 21-Nov-2006 02:38 pm Eastern Time Zone

Call Back Date:

Report Priority: C

WORKPLACE ALERT INITIAL REPORT

Allegation	Class	Priority
Workplace Retaliation or Retribution	Diversity, Equal Opportunity and Workplace Respect	C

Location Details

HQ
3750 Market Street
3750 Market Street
Philadelphia, Pennsylvania 19104
United States

Party Type	Party Name	Party Job Title
Caller	Ms. Diane Rosetsky	Program Assistant
Subject	Kathy Holtzman	Senior Director of Test Development

Home Phone: 215 590-9643

Call Report Summary

Kathy Holtzman has continually created a hostile work environment since I went down to human resources about problems with her.

Call Report Details

Report Number: NBME-06-11-0002

Page 1 of 2

Client agrees and understands that Global Compliance neither warrants, vouches for, nor authenticates the reliability of the allegations provided in this report. Client agrees that it shall have the sole responsibility for investigating or otherwise evaluating these allegations and other information provided and to comply with all local, state and federal laws pertaining to the investigation and protection of such information, as well as the protection of all rights of any person or persons accused of any wrongdoing.

Global Compliance.

ALERTLINE CONFIDENTIAL MEMORANDUM**THE INFORMATION CONTAINED IN THIS REPORT SHOULD BE HANDLED AS CONFIDENTIAL**

I have had ongoing problems for the last month with Kathy Holtzman. It basically started when Krista Allbee asked me to edit something without Kathy's agreement. I spent days working on it- at which point when Kathy found out- she refused to look at my work. I had taken it home and worked on it- because Krista said it needed to be ready for Kathy by that Friday. I have multiple e-mails supporting this. Kathy claimed I never was told to work on it.

I also had suggested a position for the support of a Test Development Associate who was using Dreamweaver. Kathy told me I could take the in-house Dreamweaver course- which I did. When I asked about the position she told me I wasn't qualified.

Kathy continually is disrespectful to me to the point of making faces at me if I walk in her office- when her door is open. She has since told me that only her managers are allowed to walk in her office. She has not given me any work to do other than clerical work- which is way below my skill level- I believe to belittle me. She has showed resent at my attempts to be innovative for the department in developing Access databases where I saw they were needed. Kathy has made such comments to me in handing me clerical work and telling me to "do something useful for a change." She also required me to write an e-mail that I did not want to- about someone in another department- saying it was necessary to protect myself. Under duress- I wrote which she instructed me to write-(I have supporting e-mails for this).

My co-worker told me I should go down to HR- which I have done multiple times with no results. Finally, Kathy gave me a performance review which was very disturbing to me- to say the least. She has called my co-workers into her office and tried to get them to write down negative things about me. She instructs other not to talk to me- and has told me to "stay in my seat and not talk to anyone."

Communications Specialist's Comments

<None>

Special Information Requested Of Caller**Responses**

Are you a salaried (exempt) or hourly (non-exempt) employee?

Hourly (non-exempt)

Survey Questions**Responses**

Report Number: NBME-06-11-0002

Page 2 of 2

Client agrees and understands that Global Compliance neither warrants, vouches for, nor authenticates the reliability of the allegations provided in this report. Client agrees that it shall have the sole responsibility for investigating or otherwise evaluating these allegations and other information provided and to comply with all local, state and federal laws pertaining to the investigation and protection of such information, as well as the protection of all rights of any person or persons accused of any wrongdoing.

EXHIBIT “31”

Kathy Holtzman

From: Diane Rosetsky
Sent: Tuesday, November 14, 2006 9:22 AM
To: Kathy Holtzman
Cc: Barbara Davidson
Subject: RE: time recording

Actually, I was planning to discuss with HR how I am now being singled out to do this- I believe, in retaliation for my coming to them for assistance. According to the NBME Values website- this would be considered retaliatory harassment. As far as being told to "stay in my seat" and "not talk to anyone"- those are not valid on the job requirements- this is not elementary school.

Your "warning" to me that you will put a performance plan in place- I also take that as retaliation- in as far as there has been nothing wrong with my work performance. To the contrary, I have consistently been reliable and made every effort to put out quality work. It is your performance as a supervisor that is in question here- and you are attempting to reverse the situation..

I found your behavior disturbing at the demo meeting yesterday. You initially would not let me speak or explain its functions- until Dave cut in and told you to let me speak. You did not say one positive thing about it- and made criticisms that it was lacking certain functions. The only reason it lacked these things- were because you refused to be involved with it over the last year- although I repeatedly asked you to do so. And you clearly do not appreciate, nor do you understand, the amount of work that goes into building a tool such as this database.

I am requesting my cubicle to be moved as soon as possible- and to be a direct report of Krista- as to avoid any further overlooking or confusion over my assignments as has happened with the Flexible Blueprinting demo. *And if you have a valid complaint- about my work performance- I need to have it in writing.*

From: Kathy Holtzman
Sent: Tuesday, November 14, 2006 9:03 AM
To: Diane Rosetsky
Subject: time recording

Diane,

I have repeatedly asked you to provide me with a written breakdown of time spent each of your projects by day. I initially asked you to begin recording your daily time on October 26 and have reminded you several times to send it to me each Friday. My last e-mail request was on Tuesday, November 7. To date I have not received this. Please send me the weekly list for week ending November 3 and week ending November 10 this morning. Thank you.

NBME

002867

Barbara Davidson

From: Diane Rosetsky
Sent: Monday, November 13, 2006 8:24 AM
To: Barbara Davidson
Subject: Kathy Quote

As I noted during the meeting, you have now been given a warning to immediately stop your behavior of sharing frustrations about your work assignments, interpersonal relationship with me, or other observations regarding Test Development management with staff in Test Development or elsewhere. Continuing this behavior could result in you being placed on a Performance Improvement Plan."

"record time spent on each project on a daily basis and provide a written list of time to be charged each Friday before leaving for the day.(please provide your list for last week by the end of **tomorrow**."

"when issues arise, direct all questions to me or the designated team leader or project manager in a nonconfrontational manner."

This is Kathy's demands on me- with her charged language trying to make this MY performance issue. I came to your office to register a complaint about HER performance. And I would like to know what is going to be done? I don't believe she is above holding NBME Values.

She can't tell me who I can and cannot talk to – about non-confidential matters. And as far as an interpersonal relationship with her- I have had none until this month- she basically never said more than two words to me – when she was here. And for her to threaten to put me on a performance plan- doesn't there have to be something wrong with my performance?

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
Email: drosetsky@nbme.org

NBME 000198

EXHIBIT “32”

(4)

Diane Rosetsky

From: "Diane Rosetsky" <DRosetsky@NBME.org>
To: <diane1120@comcast.net>
Sent: Monday, November 20, 2006 11:24 AM
Subject: FW: Meeting Follow-up

From: Kathy Holtzman
Sent: Thursday, November 16, 2006 1:34 PM
To: Diane Rosetsky
Subject: RE: Meeting Follow-up

Diane,

I suggest that you focus on performing your current role well so that you can be considered a strong candidate for other roles. Once you have done that consistently and successfully, I will be happy to discuss your career development. Thank you.

From: Diane Rosetsky
Sent: Thu 11/16/2006 12:14 PM
To: Kathy Holtzman
Subject: Meeting Follow-up

Kathy,

I am really confused by our conversation at our meeting this week. You told me that the way NBME works I would have to start as a "Production Assistant" and work my way up. I am concerned that my 10 years of work experience and my education are not being taken into account. It appears that other people, some younger and with less education and experience, are being hired into the organization in positions that are higher than Production Assistant – such as editors and test development associates. Some are being promoted without having to apply for position. They were not required to work their way up and start as Program Assistants.

I would appreciate a more specific explanation as to why I am not qualified in your department for any other position other than Program or Production Assistant.

Diane Rosetsky
Test Development
National Board of Medical Examiners
Phone: 215-590-9643
Fax: 215-590-9441
email: drosetsky@nbme.org

1/5/2007

EXHIBIT “33”

Faith Balsama

From: Faith Balsama
Sent: Wednesday, November 29, 2006 3:51 PM
To: Kathy Holtzman
Subject: FW: article

As Debbie indicated with the date, this is the incident that Diane thought was funny. She said her husband had sent her an e-mail with an article attached. I was not interested in seeing the article. She did forward it to Debbie.

Maryland News > baltimore county

FROM SATURDAY'S SUN
Police identify office shooter

Motive investigation under way; company evaluating its security

BY JULIE SCHARPER AND JENNIFER MCMENAMIN

SUN REPORTERS

ORIGINALLY PUBLISHED NOVEMBER 17, 2006, 9:56 PM EST

The man who opened fire during a meeting in a Baltimore County office was a computer technician who killed his supervisor before taking his own life, according to police and company officials.

Morris Keith Lyons, who managed the help desk at BD Diagnostics Systems in Sparks, shot the company's director of information technology several times in the upper body early Thursday afternoon, police said Friday. The victim, Harold W. Creech, had come to Lyons' second-floor office at a company facility in the Loveton Center business park.

As police continued to try to determine what prompted the murder-suicide, a company spokesman said Friday that BD Diagnostics would evaluate its security policies.

"Like most companies, we have controlled access and strong security measures and procedures at all of our facilities," spokesman Stephen Kaiser said in a statement. "The facts are still being gathered; as they develop, we'll certainly review them and assess our measures."

Both Lyons, 52, and Creech, 59, had been with the company since 1998, Kaiser said.

A woman who answered the door at Lyons' home in Carney declined to comment, saying, "I'm sorry. We have nothing to say."

Neighbors on Derwood Court -- a short stretch of single-family homes and townhouses -- said the Lyons family did not interact much on a friendly street where neighbors watch each other's children, check up on one another and take care of pets and mow lawns for vacationing families. One woman estimated the

NBME 003509

Lyons family had lived in the neighborhood for at least 10 years.

Others in the neighborhood said that Lyons, who apparently was known by his middle name, and his wife have three college-age children.

The pastor at the family's church, St. Ursula's Roman Catholic Church, declined to comment.

A former employee of BD Diagnostics who worked with Lyons described him as a pleasant, stable and religious man who never seemed depressed or despondent.

"I'm sitting here scratching my head, trying to figure out what would make Keith Lyons do this," said the former employee, who did not give his name because he still works in the industry. "I'm just very, very shocked because Keith Lyons was a very gentle person."

Creech, a resident of New Freedom, Pa., was the director of information technology for the biotechnology company's Maryland offices. He was Lyons' direct supervisor.

Creech moved to New Freedom from his native North Carolina to work for the company, Susan Glack, a spokeswoman for the family said when reached by phone Thursday. His wife, Linda, resides in North Carolina, and two adult children live in other states.

One BD employee described Creech as "one of the nicest bosses you could possibly get."

Like others, the employee did not want to be quoted by name because company officials told workers not to speak with reporters.

Members of Creech's family said that they wondered how an employee was able to bring a weapon to work.

Shortly after 1 p.m. on Thursday, police received a call about an emergency at the office on Loveton Circle, which employs about 500 people. Both men were dead when police and paramedics arrived, according to a police statement.

Police would not describe the gun used. They could not give a motive for the shooting, or describe the purpose of the meeting between the men.

BD Diagnostics is one of three divisions of BD Inc., a medical technology company who headquarters is in Franklin Lakes, N.J. The company was formerly known as Becton, Dickinson and Co.

The company has offices in Hunt Valley and at five locations on Loveton Circle, Kaiser said. About 1,700 people work for local offices of BD Diagnostics.

From: Debbie Shelmire

Sent: Wednesday, November 29, 2006 3:28 PM

To: Faith Balsama

Subject: article

Sorry, I'm not comfortable forwarding stuff like that. It was apparently on CNN's website 11/17, though.

N B M E 003510

2/6/2007